FOR MYSORE STATE

Revenue (195 2) Department.

Ms. SERIES.

G.O. NO. 272

Dated Dated 30th January 1952

[Despatch Abstract]

Public Servants (Tertiary) - Eswariah, Sri D.M. - Ex-Treasury Assistant of the erstwhile Sandur State - Absorbed as lower division clerk in Madras Government Service - Representation for absorption as upper division clerk - Appeal - Orders passed.

Revenue Department.

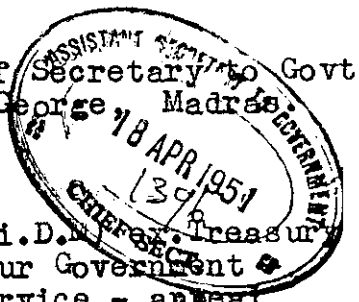
From

Sri.G.Rami Reddi, B.A.
Collector, Bellary.

To

The Chief Secretary to Govt
Fort St.George, Madras.

Rc.No.3877/51 S1 dated 16-4-51.



Sir,

Sub; - Public Servants - Eswaraiah (Sri.D.M.) Treasury Assistant of the erstwhile Sandur Government absorbed as L.D.C. in Madras service - appeal petition - submitted.

I submit herewith the appeal petition of Sri.D.M.Eswaraiah formerly Treasury Assistant of the erstwhile Sandur Government against the orders passed by the Government in G.O.Ms.No.2355 (Revenue Department) dated 29-8-1950 absorbing him as lower division clerk in the Madras Ministerial Service.

2 The appellant was a permanent employee of the erstwhile Sandur Government drawing a salary of Rs.65/- in the State scale of pay of Rs.60-5-110/- and as such the pay now offered to him as L.D.C. (which is 45-3-60-2-90) is not advantageous to him. The Special Officer, Sandur was of opinion that he could be entrusted with a responsible post in the Madras Service as he was holding x responsible posts under the Sandur Durbar. He is now 48 and he has not passed as yet, any special tests required for a Revenue subordinate, but in view of his hold age and the long experience he had in the erstwhile Sandur Govt. the Government may be pleased to consider his case favourably in the light of instructions contained in para 8 of G.O.Ms.No. 855 dated 28-3-49 by absorbing him as an upper division clerk by relaxing all the statutory rules in his favour.

Collector.

snr.

Rc. No. 3877/51 S-1

Collector's office, Bellary,
Dated 17-4-1951

From:

Sri G. Rami Reddi, B.A.,
Collector, Bellary.

To:

The Chief Secretary to Government,
Fort St. George, M a d r a s.

Sir,

Subject: Public Servants - Eswaraiah (Sri D.M) Ex. Treasury Assistant of the Erstwhile Sandur Government - Absorbed as Lower Division clerkin Madras Service - Appeal petition - submitted.

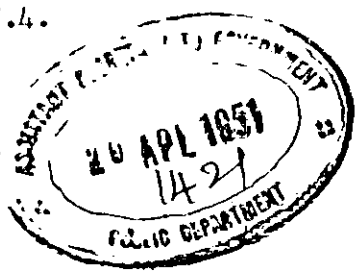
p. 1 above Reference: This office Rc. No. 3877/51 S-1 dated 16-4-51.

pp 7-11 enclosed

I submit herewith the appeal petition of Sri D.M. Eswaraiah (former Treasury Assistant of the Erstwhile Sandur Government) referred to in my letter cited (copy enclosed)

G. Rami Reddi
Collector. 17/4

P.L. 17.4.



17.4.51
81

Sandur,
Dated 4th Nov. '50

To

The Secretary to Government,

Fort St. George, Madras.

Through

The Collector of Bellary and

The Special Officer, Sandur.

Sir,

I, D.M.Eswariah, Treasury Assistant, Sandur State, now absorbed as Lower Division Clerk in the Madras State service beg to represent the following:-

I am a permanent Treasury Assistant in the Sandur State Service in the scale of Rs.60-5-110/- p.m. The Government have ordered in G.O. Ms. No.2665 dated 29th August 1950 (copy enclosed) that I am absorbed as a Lower Division Clerk in the Madras State Service in the scale of Rs.45-3-60-2-90 p.m.

I beg to request the Government to reconsider the orders and to absorb me as an Upper Division Clerk in the Madras State Service relaxing all relevant rules in my favour as the one offered to me is not consistent with the agreement of merger, the instructions of the Government of India and the Policy of the Government of Madras.

(1) Para 1(7) of the Collateral Letter which forms part of the Agreement of Merger, guarantees the continuance of the permanent State employees on conditions as near to those on which they were serving on 29-7-48 as changed circumstances may permit. Surely the post of the Lower Division Clerk in the Madras State service in the scale of Rs.45-3-60-2-90 is not as near to the post of a Treasury Assistant on Rs.60-5-110, as that of an Upper Division Clerk on Rs.80-3-95-5-110.

(2) The instructions of the Government of India as enunciated in G.O. 805, Public - Political Department dated 26-7-49 assure the absorption on conditions which are not merely as near to, but which are not less advantageous than those which were enjoyed before the merger. The scale of pay, Rs.45-3-60-2-90 is less advantageous than that of Rs.60-5-110 in all its stages. The post of Upper Division Clerk on Rs.80-3-95-5-110 can never be regarded as an

the above assurance both in the letter and in spirit. But the offer of the post of a Lower Division Clerk to me does not satisfy either the spirit or the letter of the assurance.

3. The Government of Madras laid down certain policies regarding the absorption of State employees consistent with the instructions of the Government of India. I seemed to be reckoned under principle (ii) of the G.O. referred to in para 2 above, as a person possessing inferior qualification occupying posts which under the Madras Government require superior qualifications. In the case, refusal to accept the offer holds out a threat of retirement or discharge. I invoke the direction of the Government of India "that it will be unfair if an attempt is made to settle less favourable terms with any of the employees who may have no option but to accept them for fear of loss of career". I am deeply grateful to the Government of Madras for exempting me from the educational qualification and the need to pass the Madras Public Service Commission Examination of the S.S.L.C. Standard on account of my age. I believe that no higher educational qualification is prescribed for any non-gazetted or even some of the gazetted posts in the Revenue Department, the minimum being the S.S.L.C. When the Government so graciously grant me an exemption from the minimum educational qualification, I am eligible for absorption in any category of the Madras State Service. If I do not possess the requisite departmental qualification, the sympathy that my age demands might be extended a little further and all relevant Rules could be relaxed in my favour and absorbed as a Upper Division Clerk.

The Government will appreciate my grievance when compared with the case of Sri.K.V. Narasimhachar who is also absorbed as a Lower Division Clerk whose highest pay in the State Service stops with almost where I start. But I do not wish to embarass the Government with comparing myself with some of my lucky colleagues Judged independently of myself with reference to the guarantees in the agreement of Merger, the assurances of the Government of India I feel I am aggreived and request that I may be absorbed as an

Upper Division Clerk

8

the Revenue

prescribed for [illegible] non-gazetted or even some of the gazetted post

of [illegible]ge. I believe that no higher educational qualification is

Service Examination [illegible] of the S.S.L.C. Standard on account

educational qualification and the need to pass the Madras Pub.

4 If the Government are not pleased to comply with the above prayer for any reasons, I wish to ask for an alternative favour. Exemption is meant to benefit the receipient. If it does the contrary, better it is not given. Shorn of the exemption of the General Educational qualification, I have to be reckoned as a person with no qualification coming under the perview of policy No.(iii) of G.O. 855 Public Political Department dated 26-3-50 as amended. The Government having decided to continue my services, I will be satisfied with the state scales of pay and the Dearness allowance according to the Madras rates as is being given now.

5 I wish to submit that I will be reaching my maximum of Rs.110/- in the state scale of pay earlier than even in the post of a Upper Division Clerk. But I have sacrificed the future profits in favour of some immediate gains in asking for absorption as a Upper Division Clerk. I therefore leave it to the Government to grant either of my above requests in exchange for the Lower Division Clerk's post.

For this act of kindness I shall pray for ever.

Yours faithfully,

4.XI.50

Treasury Assistant
Taluk Office,

Sandur

Dated:- 4.XI.50.

10

Rev. Dept.

Memo No. 33459 K/54-1 dt 9.5.54

Public Servants - Estacode Vol II Pt II -
Ex. Treasury Boat of the Sandur State -
Abroad as L.D.C - Request for absorption
as Indian. Paper

Plain
dt
10/5/51

pp 5-10 Cf
p 1 Cf

From Vol I, p. 1 onwards, pointing out
From the Collr. of Bellary Rc. No. 3877/54/1 dt 4.11.50
Dy. 54

A copy each of the Memo and the report from
the Collr. of Bellary referred to above is
forwarded to the Bd of Rev. The Bd
of Rev. is requested to offer its remarks thereon
at an early date

To the Bd of Rev. dt 9/5/51

witness. BPd

BPd
15.5.51

PS
9.5.51

GS
9.5.51

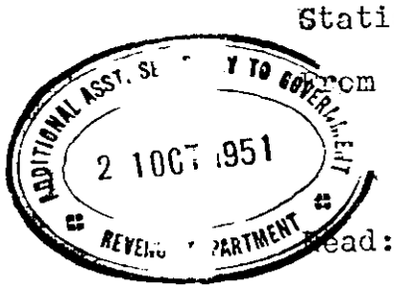
REVENUE DEPARTMENT.
Subject.

11

PUBLIC SERVANTS - Eswaraiah (Sri) D.L. Ex-Try. Assistant of the Erstwhile Sandur State - Absorbed as Lower Division Clerk in Madras Service - representation for his absorption as Upper Division Clerk - further particulars called for- report submitted.

737/60P

Station: Madras. Ref.B.P.Rt.6934. d/16/10/51



From Sri A.P.Mascarenhas, I.A.S., Secretary, Board of Revenue
Sri W.R.S.Sattianathan, ICS., Commr. of Land Revenue.

Read: Government Memo 33459/K 51-1 Rev. d/9/5/51.
-do- /K51-2 Rev. dated 19/6/51
Board's Ref.W-4416/51-2 dated 9/7/1951.
Collector of Bellary Rc.3877/S1-51 d/4/8/51
Government Memo B-3459/K51-3 Rev. dated 19/8/51
Board's Ref.W-4416/51-3 dated 15/9/1951.

RESOLUTION.

Submitted to the Government.

2. Sri D.M.Easwaraiah is not qualified to be absorbed as an upper division clerk. The Board submits that his request to continue in the Sandur state scale of pay can be complied with as it is in accordance with the instructions contained in para 2(iii) of the G.O.No.855 Pub(Pol) dated 26/3/1949.

for Secretary

To the Secretary to Government, Revenue Department.
with Ser.Regd. and Personal file.
Copy to the Collector of Bellary.

jsv/18/10

Copy of letter No.Rc.3877/51 S1 dated 4/8/51 from the Collector of Bellary to the Secretary, Board of Revenue.

Sub: as above.
Ref: Board's No.W.4416/51-1 dated 27/6/51.

The particulars called for by the Board of Revenue in its reference cited are furnished below:-

i) The pay of the petitioner Sri D.M.Eswaraiah, has since been fixed at Rs.66/- P.M.(Sixty Six only) with effect from 1-9-49 in the time scale of pay of Rs.45-3-60-3-90 of a lower division clerk in the services of the Madras Government in which he was ordered to be absorbed. His pay excluding D.A. and other allowaces on 1-9-51 shall therefore be Rs.70/- p.m.

ii) The seniority of the petitioner has not yet been fixed. Proposals have been called for from the Tahsildar Sandur. The seniority of this individual will be fixed soon after the receipt of the proposals from the Tahsildar Sandur and a further report on this point, will be submitted to the Board.

12

iii). the Service Register and the personal file of the petitioner, Sri D.M.Eswaraiah are submitted herewith.

Sd, x x x
for collector.

//true. copy//

for Secretary.

jsv/18/10

Pl. 8-1-52 (28-1-52)

R.D

Read again: G.O.Ms.no. 2355 Rev d 29.8.50.

Read also from Sri D.M. Eswaraiah petition d 4.11.50

from the Collector of Bellary Rc. no. 3877/5 d 16.4.51.

Govt Memo no 33459 K/51-1 Rev d 9.5.51.

from the Bd of Rev. Proceedings Rt. no. 6934 d 16.10.51

G.O.Ms.no 272 dated 30-1-52.

Vide A on pHNF

On the circumstances reported by the Bd of Revenue, the Govt direct, in partial modification of the orders in para 1(1) of G.O.Ms no. 2355 Rev d 29.8.50, that Sri D.M. Eswaraiah ex. employee of the Sandur State, may be allowed to continue in the Sandur State the Bd of Rev(L.R) scale of pay in accordance with the orders in para 2(iii) of G.O.Ms.no. 855 Pub(Poll) d 26.3.49. as amplified in G.O.Ms.no. 1401 Pub(Poll), d. 14-5-51.

I will S.R. rule) (illegible)

" Collr of Bellary

" A.G. Trav Fin

" Pub(Poll)

25

9.1.52

C-152

INTS'2

3d 02 Rem (L.R.)

Received the P.F. of
Smt. D. M. Eswariah
in a sealed cover
as ench to GO Ms
272 Rev d 30.1.52

18/7

Public (Political - A) Dept.

Sub States, Merged Sandur - Public Servants - Sri D. H. Eswariah, formerly Treasury Assistant of the Sandur Sub-ar now absorbed as l.d.c. - Representation of from the Collector of Bellary, letter Roc. No. 3877/51.S.1 d 16/4/51

f 1 cf

x (Q) In G.O. Ms. No 2355, Rev, d 29/8/50 it was ordered that Sri D. H. Eswariah, formerly Treasury Assistant of the Sandur Sub-ar should be absorbed as a lower division clerk in the Madras Ministerial service of the Revenue department. He has represented in his petition at p.p 7-11 cf. that his absorption as a lower division clerk is on less advantageous terms in view of the fact that the post carries a scale of Rs. 45-90 whereas the scale attached to the post of Treasury Assistant under the Sub-ar was Rs 60-5-110. He requests that in view of his experience etc, he may be absorbed as an u.d. clerk in the Madras Services and if it is not possible, he may atleast be permitted to draw the State scale of pay.

2 cf (G)

A and B on f 7 cf

4 and 5 on f 11 cf

The Collector of Bellary has stated that in the light of paragraph 8 of G.O. Ms. 1 85-5, Pub (Pole), d 26/3/1949 Mr. Eswariah may be absorbed as an u.d. clerk by relaxing all the statutory rules in his favour. As it seems to be a case of hardship, this department may

3 cf (E)

2 - f. 1 cf

agree with the Collector and support the petn's request

Revenue may ~~see fit to remarks~~ be requested to take nis necessary action.

10/4/51 Rev 1.5.51.

~~Transfer Public (Service~~

Rev Dept

To A.S

Notes from plants may be perused.

The proposal in this file relates to absorption of Sri Eswariah, an employee of the Sanders as nidc by relaxing rules in his favour. (He ~~was~~ was originally absorbed as LDC in the M. Mys.) - The Collr. has recommended petn request for absorption as nidc. The remarks of the Bd of Rev thereon may be invited in the proposal.

Draft memo is submitted for approval.

3/4/51 P.S. 9.5.51

9.5.51

Issued as memo No 33459 K/51-1 Rem d 9.5.51 from the Bd of Revenue proceedings Rt. No 6934 d 16.10.51.

Pub (Pol (A) No 1396/57-1

REGIONAL ASST. SECRETARY TO GOVT. BOARD OF REVENUE

3 MAY 1957

S 3/5 S

p3 cf p 71

K 3/5 cf

3.5.57

9.5.51

pp 11-12 cf

TO A.S

Please see the notes from plants, the memo on pp cf and the Bd's proceedings on pp 11-12 cf

2. The Bd of Revenue has reported that Sri D.M. Eswaraiah is not qualified to be absorbed as an upper division clerk. It has, therefore, recommended that the petitioner's (alternative) request to continue him in the Sanders State scale of pay can be complied with as it is in accordance with the instructions contained in

A

EA | para 2(iii) of G.O. No. 855 Pub (Poll) d 26-3-49

The BDs recommendation may perhaps be accepted as it will avoid further relaxation of rules

3 The remarks of Pub (Poll) and Finance may be invited.

12/III/51

12/III/51

By 12-III-51

S

To As.

With ref. to A.Ss orders in the margin it is submitted that no precedents are traceable where the ex-State employees elected to continue in the State Scales of pay after the Merger. This is presumably because the State Scales of pay are generally lower than the Madras Scales of pay and no ex-State employees would have elected to continue in the former Scales of pay. The petitioner's case seems to be peculiar, since he was holding a Special post called "the Treasury Assistant" in the erstwhile Sandur State whose Scale of Rs 60-110 happens to be more advantageous to the petitioner than the Scale of the post of L.D.

Should not be treated as similar to the cases from Travancore-Cochin? Reasons to be recorded. Precedents.

12/III/51

offered by them under the Madras Govt. Service
[Rs 45-90]. For orders whether the Rly
recommendation referred to at 'A' on pp 2-3 ante may be accepted as it is in accordance with the instructions contained in para 2 (iii) of G.O. No. 855 Public (Pol) dated 26-3-1949 and as it will avoid further relaxation of rules.

3 The remarks of Public (Pol) and Finance may be invited.

By
5-12-51.

Pub (Pol.) / FIN

Public (Political-A) dept

(Previous notes of this department on pp 1-2 ante).

Rev U.O. 33459 P/51, dt 14.12.51

Notes of Revenue para p. 2 ante may be perused. The proposal at A above may be agreed to in this department and the file passed on to Finance.

17.12.51.

Finance (Exp)

Pub (Poll A) Dept. U.O. No 4987/51-1 18-12-51

The proposal of Revenue at 'A' above may be accepted in Fin

UNDER SECRETARY 4987 15 DEC 1951 PUBLIC DEPARTMENT

ADDITIONAL SECRETARY TO GOVERNMENT 88606 P 27 DEC 1951 REVENUE DEPARTMENT

ADDITIONAL DEPUTY SECRETARY 93986 18 DEC 1951 20 EW FINANCE DEPARTMENT

C.No. 33459P/51

Rev. dept

TO A.S.

please see the notes from XX on p 2 ante

2. A draft ~~memo~~ order is submitted for approval based on the proposal of this dept at A on p 4 ante, ~~After issue the packets may be stitched with G.O. Ms. No. 2355 Rev dt 29.8.50.~~ which has been accepted by Public

May be approved
12/1/52

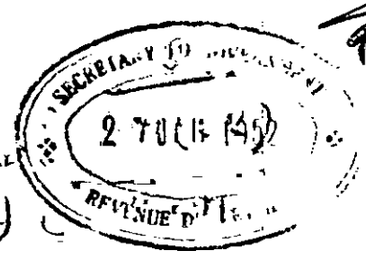
K
3.1.52

(Pol) and Revenue Depts.

By
9-1-52

12-1-52

23/1



25/1/52

HM. (d.R.)

HCM

C267/1